

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7396

BILL NUMBER: HB 1487

NOTE PREPARED: Mar 19, 2009

BILL AMENDED: Mar 19, 2009

SUBJECT: The Rights of Owners in Coal Lands.

FIRST AUTHOR: Rep. Battles

FIRST SPONSOR: Sen. Steele

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill establishes court procedures to establish terms under which a person with a partial ownership or leasehold interest may secure a lease on the uncontrolled remaining coal interest in order to mine the coal.

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: The bill establishes certain court procedures relating to the ownership of coal and coal land to be brought in a circuit or superior court of the county where all or the major part of coal land is located. The bill outlines certain activities that may be taken by the courts.

The bill will increase court expenses. However, the specific impact is indeterminable and will depend on the location, number, and nature of cases brought before the courts. Court costs related to the proceedings must be paid by the plaintiff.

Explanation of Local Revenues: In addition to revenue generated by any additional court fees, the court will also receive revenue from plaintiffs for the costs incurred by the courts. Overall, though, revenue that could be generated by the bill is not expected to be significant.

State Agencies Affected:

Local Agencies Affected: Circuit and superior courts located in coal land.

Information Sources:

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.